

1 MELVIN R. GOLDMAN (CA SBN 34097)  
2 MGGoldman@mofo.com  
3 STEPHEN P. FRECCERO (CA SBN 131093)  
4 SFreccero@mofo.com  
5 DEREK F. FORAN (CA SBN 224569)  
6 DForan@mofo.com  
7 MORRISON & FOERSTER LLP  
8 425 Market Street  
9 San Francisco, California 94105-2482  
10 Telephone: 415.268.7000  
11 Facsimile: 415.268.7522

12 Attorneys for Defendants  
13 Epson Imaging Devices Corporation and  
14 Epson Electronics America, Inc.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST  
LITIGATION

Master File No. 3:07-md-1827 SI  
MDL No. 1827

This Document Relates to: No. 09-5840

MOTOROLA MOBILITY, INC.

Plaintiffs,

v.

AU OPTRONICS CORPORATION, et al.

Defendants.

**STIPULATION AND  
[PROPOSED] ORDER  
PERMITTING DEPOSITIONS  
BEYOND FACT DISCOVERY  
CUTOFF DATE**

1 Plaintiff Motorola Mobility, Inc. ("Motorola") and Defendants Epson Imaging Devices  
 2 Corporation and Epson Electronics America, Inc. (collectively "Epson"), parties to the above-  
 3 entitled action (collectively, "Parties"), hereby stipulate as follows:

4 WHEREAS, the Parties have met and conferred to discuss scheduling the deposition of  
 5 Motorola's employees Tracy Guo, C.F. Cheng, and C.M. Lai, and Epson employee Hiroyuki  
 6 Matsuura;

7 WHEREAS, the aforementioned individuals are not available for deposition before the  
 8 fact discovery cutoff date of December 8, 2011;

9 NOW, THEREFORE, the Parties, through their undersigned respective counsel, stipulate  
 10 and request that the Court order as follows:

11 1. That the fact discovery cutoff date of December 8, 2011 be extended for the sole  
 12 purpose of the aforementioned, proposed depositions;

13 2. That Defendants may take the deposition of Ms. Guo on December 14-15, Mr.  
 14 Cheng on December 20, and Mr. Lai on December 21;

15 3. That Direct Action Plaintiffs may take the deposition of Mr. Matsuura at a date to  
 16 be determined outside the fact discovery cutoff; and

17 4. That the Parties continue to work in good faith with regards to scheduling  
 18 additional depositions of their respective employees after the close of fact discovery. To allow  
 19 sufficient time for the Parties to coordinate with respect to any remaining depositions, the  
 20 deadline to move to compel further depositions of Motorola or Epson witnesses shall be extended  
 21 to January 31, 2012.

22 Dated: December 9, 2011

23 MELVIN R. GOLDMAN  
 24 STEPHEN P. FRECCERO  
 25 DEREK F. FORAN  
 26 MORRISON & FOERSTER LLP

27 By: /s/ Derek F. Foran  
 28 DEREK F. FORAN

29 Attorneys for Defendants  
 30 Epson Imaging Devices Corporation  
 31 and Epson Electronics America, Inc.

1 Dated: December 9, 2011

2 JEFFREY H. HOWARD  
3 JEROME A. MURPHY  
4 JASON C. MURRAY  
5 JOSHUA C. STOKES  
6 CROWELL & MORING LLP

7 By: /s/ Joshua C. Stokes  
8 JOSHUA C. STOKES

9 *Attorneys for Plaintiff*  
10 *Motorola Mobility, Inc.*

11  
12 **Attestation:** The filer of this document attests that concurrence in the filing of this document has  
13 been obtained from the other signatory.

14 By: /s/ Derek F. Foran  
15 Derek F. Foran

## **PROPOSED ORDER**

Under the Parties' stipulation set forth above, IT IS SO ORDERED.

Dated: 12/16/11

*Susan Illston*

Hon. Susan Illston  
United States District Judge